

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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MARY PHILLIPA SLEDGE, MARY  
JANE PIDGEON SLEDGE TRUST, and  
PIDGEON SLEDGE FAMILY LIMITED  
PARTNERSHIP,

Plaintiffs,

v.

Case No. 2:13-cv-2578-STA-cgc

INDICO SYSTEM RESOURCES, INC. and  
CLEAL WATTS, III,

Defendants.

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**PLAINTIFFS' MOTION TO COMPEL DEFENDANTS  
TO PRODUCE DISCOVERY MATERIALS**

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COME NOW, Mary Phillipa Sledge, Mary Jane Pidgeon Sledge Trust, and Pidgeon Sledge Family Limited Partnership ("Plaintiffs") and move this Court to compel Defendants to fully and properly respond to Plaintiffs' Requests for Production of Documents as to three specific categories of documents which are in Defendants' possession, custody or control:

- 1) Tax returns and tax-related documents;
- 2) Information related to a particular bank account (Guaranty Trust) in which Defendants have articulated an interest; and
- 3) Information withheld from certain Rackspace email accounts.

Plaintiffs seek an Order from this Court requiring Defendants' compliance within fifteen (15) days. Plaintiffs further request the Court Order that Defendants shall be subject to sanctions

pursuant to Fed. R. Civ. P. Rule 37 for failure to comply. Plaintiffs have attached an accompanying memorandum of law in support of this motion.

Respectfully Submitted,

/s/ Darrell N. Phillips  
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**Attorneys for Plaintiffs**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 9th day of October 2015, a copy of the foregoing electronically filed document was served on the parties listed below via first class mail, postage prepaid, unless said party is a registered CM/ECF participant who has consented to electronic notice, and the Notice of Electronic Filing indicates that Notice was electronically mailed to said party.

Randall Fishman  
Richard Townley  
Ballin, Ballin & Fishman  
200 Jefferson Ave., Suite 1250  
Memphis, TN 38103

/s/ Darrell N. Phillips

**CERTIFICATE OF CONSULTATION**

Pursuant to Local Rule 7.2, counsel for Plaintiffs hereby certifies that he consulted with Richard Townley, counsel for Defendants, who consented in principal to produce the materials sought or to produce responses explaining their unavailability. Counsel for both parties intend to submit a consent order pertaining to this Motion within the next week.

/s/ Darrell N. Phillips  
Darrell N. Phillips